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3 UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5 OAKLAND DIVISION  
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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 JASON KEITH BARRETT,

11 Defendant.  
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Case No: CR 12-0495 SBA

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION  
REGARDING GUILTY PLEA**

Docket 540

14 On January 2, 2013, the Court referred this matter to Magistrate Judge Westmore  
15 ("the magistrate") for a report and recommendation on the acceptance of Defendant's guilty  
16 plea. Dkt. 430. On January 25, 2013, the Defendant appeared before the magistrate and,  
17 with the assistance of counsel, waived his right to enter a guilty plea before a district judge  
18 and instead consented to enter his plea in a hearing before the magistrate. See Dkt. 540.  
19 The magistrate conducted a full hearing in the manner set forth in Federal Rule of Criminal  
20 Procedure 11. Id. After the advisements set forth in Rule 11, the Defendant entered a  
21 guilty plea in open court. Specifically, the Defendant pled guilty pursuant to a written plea  
22 agreement to Count Seven of the Indictment charging Defendant with possession with  
23 intent to distribute and distribution of cocaine in violation of 21 U.S.C. § 841(a)(1),  
24 (b)(1)(C). Id. The magistrate found that Defendant was fully competent and capable of  
25 entering an informed plea, that he was aware of the nature of the charges and the  
26 consequences of the guilty plea, and that the guilty plea was knowing and voluntary and  
27 supported by an independent factual basis. Id.  
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1 On February 11, 2013, the magistrate issued a Report and Recommendation  
2 Regarding Guilty Plea in which she recommends that this Court accept Defendant's guilty  
3 plea. Dkt. 540. The Report and Recommendation advises the parties that they may serve  
4 and file specific written objections to the order within fourteen days after being served with  
5 a copy of the order. Id. No written objections to the Report and Recommendation were  
6 filed prior to the hearing. At the May 13, 2013 sentencing hearing in this matter, the parties  
7 indicated that they have no objections to the Report and Recommendation. Accordingly,

8 IT IS HEREBY ORDERED THAT the magistrate's Report and Recommendation  
9 (Dkt. 540) is ACCEPTED, the Defendant's guilty plea is accepted, and the magistrate's  
10 Report and Recommendation shall become the order of this Court.

11 IT IS SO ORDERED.

12 Dated: 5/13/13

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14 SAUNDRA BROWN ARMSTRONG  
15 United States District Judge  
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